



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,161	09/28/2000	HARUO MACHIDA	35.C14841	8435

5514 7590 08/13/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

[REDACTED] EXAMINER

LUU, SY D

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/671,161	MACHIDA, HARUO
	Examiner	Art Unit
	Sy D Luu	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 10 March 2001.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-21 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) Interview Summary (PTO-413) Paper No(s). _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3-7, 10-14 and 17-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 10 and 17 each recites "a second user action" on line 2. There are no reference to "a first user action" in all the parent claims that these claims depend from.

Claims 3, 10 and 17 each recites "said icon" on line 8. It is not clear which one of the icons, apparatus or peripheral, this "said icon" is referring to. Due to this indefiniteness, it is not clear what is meant by "selecting the icon of the peripheral locally connected to said information processing apparatus different from the information processing apparatus corresponding to said icon".

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Goshey et al. (“Goshey”, US 6,327,613 B1).

As per claim 1, Goshey teaches an information processing apparatus which can communicate through a network with each of a plurality of information processing apparatuses connected to said network, comprising:

display means for displaying an icon indicative of each of said plurality of information processing apparatuses onto a virtual system display screen, said virtual system display screen graphically displaying connecting states of said plurality of information processing apparatuses and peripherals locally connected to each of said information processing apparatuses (figs. 2A

and 2D; col. 2, lines 34-42, col. 4, lines 31-42; col. 5, lines 49-64; *apparatuses 116 and peripherals 118-130*);

obtaining means for obtaining information of the peripherals locally connected to said information processing apparatus from each of said plurality of information processing apparatuses, first control means for displaying icons indicative of the peripherals locally connected to said information processing apparatus corresponding to the icon as a target of a user action in response to said user action for the icon of the information processing apparatus on said virtual system display screen on the basis of the information obtained by said obtaining means, and second control means for calculating display positions of the icons which have already been displayed on said virtual system display screen on the basis of a display space of the icon of the peripheral which is newly displayed on said virtual system display screen by said first control means (figs. 2A and 2D; col. 4, lines 51-60; col. 5, lines 49-64; *icons being obtained and displayed in a hierarchical manner in display list area 206 with "+" and "-" icons for expanding/collapsing display control of peripherals relating to apparatuses*).

As per claim 2, Goshey teaches said user action to include a first user action for selecting the icon of the information processing apparatus on said virtual system display screen by a pointing device (fig. 2D; *any of the icons and their associated "+" and "-" icons for expanding/collapsing display control*).

As per claims 3-5, Goshey teaches said user action to include a second user action for selecting the icon of the information processing apparatus on said virtual system display screen by a pointing device and selecting the icon of the peripheral locally connected to said information processing apparatus different from the information processing apparatus

corresponding to said icon, wherein said first control means further comprises discriminating means for discriminating whether the icon of the peripheral locally connected to said information processing apparatus selected by said second user action is displayed on said virtual system display screen or not on the basis of attributes of the peripheral corresponding to the icon selected by said second user action, and only the icon of the peripheral in which a discrimination result by said discriminating means indicates an affirmative decision is displayed, and said discriminating means outputs an affirmative decision with respect to the peripheral which can operate in an interlocking relational manner with the peripheral corresponding to the icon selected by said second user action (col. 9, lines 11-38; col. 6, lines 50-67; *rights and access privileges determine the display of peripherals availability*).

As per claims 6-7, Goshey further suggests peripherals to be any type of devices connecting to network apparatuses, operable in an interlocking relational manner, that are not assigned a drive letter such as scanners (col. 5, lines 36-48). Fax and printers would have been other examples of this type.

Claims 8-14 are similar in scope to claims 1-7 respectively, and are therefore rejected under similar rationale.

Claims 15-21 are similar in scope to claims 1-7 respectively, and are therefore rejected under similar rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Steele et al. (US 6,282,175 B1)

Messinger (US 5,793,974)

Hammer et al. (US 5,796,951)

Battat et al. (US 5,958,012)

Tachibana et al. (US 6,219,053 B1)

Dev et al. (US 5,261,044)

Inquires

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



**SY D. LUU
PRIMARY EXAMINER**